

Message Text

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PAGE 01 PRETOR 00928 030310Z

70/64

ACTION AF-06

INFO OCT-01 ISO-00 L-03 CPR-01 /011 W

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R 021514Z MAR 76 CORRECTED COPY FOR MCN

FM AMEMBASSY PRETORIA

TO SECSTATE WASHDC 3919

INFO AMCONSUL CAPE TOWN

UNCLAS PRETORIA 0928

CAPE TOWN FOR EMBASSY; DEPT FOR EXECUTIVE DIRECTOR AF/EX
AND DEPUTY LEGAL ADVISOR FOR ADMINISTRATION (L/O)

E.O. 11652: N/A

TAGS: PDIP, AFSP, ASEC,SF

SUBJECT: WIVER OF IMMUNITY-- REQUIREMENT FOR EMBASSY EMPLOYEE
AND/OR DEPENDENT TO TESTIFY IN SOUTH AFRICAN COURT.

1. AS PER 2 FAM 221.5, AUTHORITY IS REQUESTED FROM THE DEPARTMENT
TO PERMIT ARMAND A. HONEYCUTT, TELECOMMUNICATIONS OFFICER, AND/OR
HIS WIFE TO WAIVE DIPLOMATIC IMMUNITY TO TESTIFY AND POSSIBLY
BE CROSS-EXAMINED IN SOUTH AFRICAN COURT CASE. IN CONNECTION
WITH 2 FAM 22.1, HONEYCUTT AND ALL MEMBERS OF HIS FAMILY ARE
ACCORDED IMMUNITY BY SOUTH AFRICAN GOVERNMENT.

WM HONEYCUTT HAS SWORN OUT COMPLAINT WITH LOCAL POLICE AGAINST
A FORMER DOMESTIC EMPLOYEE (GARDENER) OF THE HONEYCUTTS WHO
STOLE NUMEROUS ARTICLES OF CLOTHING FROM HONEYCUTT HOME. ON
BASIS OF COMPLAINT, POLICE ARRESTED FORMER GARDENER WHO HAD
IN HIS POSSESSION THE STOLEN ARTICLES OF CLOTHING.

3. POLICE HAVE INFORMED HONEYCUTT THAT HE OR HIS WIFE WILL HAVE
TO TESTIFY IN THEY WISH TO ENFORCE THEIR COMPLAINT AND REPOSSESS
STOLEN ARTICLES, FAILURE TO TESTIFY WOULD RESULT IN RELEASE
OF FORMER GARDENERWHO WOULD BE PERMITTED UNDER S.A. LAW TO RETAIN
STOLEN ARTICLES OF CLOTHING. FAILURE TO TESTIFY WOULD
ALSO RESULT IN CONSIDERABLE EMBARRASSMENT FOR EMBASSY
WITH RESPECT TO POLICE WHO HAVE BEEN VERYVERY COOPERATIVE IN
THIS CASE. HONEYCUTT AND/OR HIS WIFE WILLING TESTIFY.

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PAGE 02 PRETOR 00928 030310Z

THEY ARE FULLY AWARE OF FACT THAT, IN SO TESTIFYING, THEY ARE

WAIVING THEIR IMMUNITY AND WILL BE SUBJECT TO POSSIBLE CROSS-
EXAMINATION WITH RESPECT TO THEIR TESTIMONY. COMMENT: THIS
APPEAR TO BE ROUTINE CASE. RSO HAS INTERVIEWED HONEYCUTTS AND
LOCAL POLICE RE THE CASE AND NO PROBLEMS WITH RESPECT TO PROCESS-
ING OF CASE ARE FORSEEN. TESTIMONY OF HONEYCUTT(S) WITH FINDINGS
ALREADY COMPILED BY POLICE WOULD GIVE PROSECUTOR AN OVERWHELMING
CASE. POST RECOMMENDS THAT AUTHORITY FOR HONEYCUTT(S) TO WAIVE
IMMUNITY AND TESTIFY BE GRANTED. CASE SCHEDULED TO BE HEARD LATER
THIS WEEK. WOULD APPRECIATE DEPARTMENT RESPONSE SOONEST.
EDMONDSON

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